

9300 \$

PATENT

ATTORNEY DOCKET NO. 08935/018001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Richard Edward Durkot et al. Art Unit:  
Serial No.: 08/905,254 Examiner:  
Filed : August 1, 1997  
Title : ZINC ELECTRODE PARTICLE FORM

Assistant Commissioner for Patents  
Washington, DC 20231

Attention: Box Missing Part

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Responsive to the Notice to File Missing Parts of  
Application under 37 CFR 1.53(d) mailed December 22, 1997 (a copy  
of which is enclosed), Applicant as a large entity submits  
herewith the following:

A Combined Declaration and Power of Attorney in  
compliance with 37 CFR 1.63.

Payment of the surcharge of \$130.00 for late  
filing of the declaration.

It is understood that this perfects the application and  
no additional papers or filing fees are required. If there are

Date of Deposit January 23, 1998  
I hereby certify under 37 CFR 1.8(a) that this correspondence is being  
deposited with the United States Postal Service as **first class mail**  
with sufficient postage on the date indicated above and is addressed to  
the Assistant Commissioner for Patents, Washington, D.C. 20231.


Kathleen DiSanto

Kathleen DiSanto

any other charges, or any credits, please apply them to Deposit  
Account No. 06-1050.

Respectfully submitted,

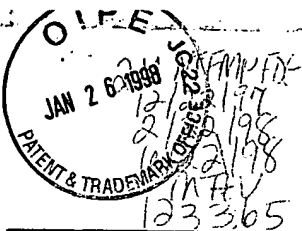
Date: 1-23-98

  
Robert C. Nabinger  
Reg. No. 33,431

*Handwritten:* H. H. Fox  
Reg. No. P41, 498

Fish & Richardson P.C.  
225 Franklin Street  
Boston, MA 02110-2804

Telephone: 617/542-5070  
Facsimile: 617/542-8906  
285383.B11



**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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08/905,250 08/01/97 DURKOT

R 08935018001

ROBERT C. NABINGER  
FISH AND RICHARDSON  
225 FRANKLIN STREET  
BOSTON MA 02110

0262/1222

NOT ASSIGNED

DATE MAILED:

1111

12/22/97

**NOTICE TO FILE MISSING PARTS OF APPLICATION  
Filing Date Granted**

An Application Number and Filing Date have been assigned to this application. However, the items indicated below are missing. The required items and fees identified below must be timely submitted **ALONG WITH THE PAYMENT OF A SURCHARGE** for items 1 and 3-6 only of \$ 130 for a ☒ large entity ☐ small entity in compliance with 37 CFR 1.27. The surcharge is set forth in 37 CFR 1.16(e). Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file all required items and pay any fees required above to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☒ large entity ☐ small entity (verified statement filed), is \$ 130.

☐ 1. The statutory basic filing fee is:

- ☐ missing.
- ☐ insufficient.

Applicant must submit \$ \_\_\_\_\_ to complete the basic filing fee and/or file a verified small entity statement claiming such status (37 CFR 1.27).

☐ 2. Additional claim fees of \$ \_\_\_\_\_, including any multiple dependent claim fees, are required. Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☐ 3. The oath or declaration:

- ☐ is missing.
- ☐ does not cover the newly submitted items.
- ☐ does not identify the application to which it applies.
- ☐ does not include the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☒ 4. The signature(s) to the oath or declaration is/are:

- ☐ missing.
- ☐ by a person other than inventor or person qualified under 37 CFR 1.42, 1.43, or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$ \_\_\_\_\_ processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application does not comply with the Sequence Rules.  
See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."

☐ 9. OTHER:

Direct the response and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the response.**

Customer Service Center  
02/06/1998 08:00 PM FROM INVENTOR ADDRESS